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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yu *et al.*

Application No.: 10/038,517

Filed: 01/03/02

Title: Novel Human Lipase and  
Polynucleotides Encoding the Same

Attorney Docket No.: LEX-0293-USA

Group Art Unit: 1621

Examiner: To Be Assigned

Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Supplemental Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
- ☐ Certification under 37 CFR 1.97(e), or
  - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
  - (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
- ☐ Certification under 37 CFR 1.97(e), and
  - ☐ a petition under 37 CFR 1.97(d)(2)(ii), and
  - ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
  - (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Supplemental Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references are that they were cited in a communication from a foreign patent office in a counterpart foreign application corresponding to the above-identified application.

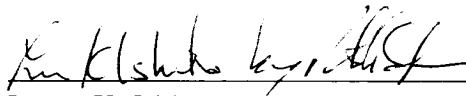
Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

December 6, 2002

Date

 *10/26/02, S. Ishimoto*  
Lance K. Ishimoto  
Reg. No. 41,866

LEXICON GENETICS INCORPORATED  
(281) 863-3333



24231

PATENT TRADEMARK OFFICE

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| Substitute for form 1449A PTO   |   | <b>Complete if Known</b> |                |
| <b>SUPPLEMENTAL<br/>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   | Application Number       | 10/038,517     |
|   |   | Filing Date              | 1/3/02         |
|   |   | First Named Inventor     | Yu             |
|   |   | Group Art Unit           | 1621           |
|   |   | Examiner Name            | To be assigned |
| Sheets  | 1 | of                       | 1              |
| (Use as many sheets as necessary)   |   | Attorney Docket Number   | LEX-0293-USA   |

| U.S. PATENT DOCUMENTS |                       |                      |                                   |   |  |   |
|-----------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                       |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
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| FOREIGN PATENT DOCUMENTS |                       |                         |                     |                                   |   |  |   |                |
|--------------------------|-----------------------|-------------------------|---------------------|-----------------------------------|---|--|---|----------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | Office                  | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |   |  |   |                |
|                          | CK                    | WO                      | 0125409             | A1                                | Millenium Pharmaceuticals                       | 04/12/01   | pg. 95-96   |                |
|                          |                       |                         |                     |                                   |   |  |   |                |
|                          |                       |                         |                     |                                   |   |  |   |                |
|                          |                       |                         |                     |                                   |   |  |   |                |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---|-----------------------|---|----------------|
| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   | CL                    | Database EBI 'Online' NIH-MGC, STRAUSBERG, Robert, "601854965F1 NIH MGC 57 Homo sapiens cDNA clone IMAGE: 4074544 5', mRNA sequence," 11/16/00, database accession no. BF246347, XP002220407, abstract.   |                |
|   | CM                    | THIRSTRUP, et al., "Cloning and expression in insect cells of two pancreatic lipases and a procolipase from Myocastor coypus," European Journal of Biochemistry, Vol. 227, No. 1-2, 1995, pgs. 186-193, XP001119728, ISSN: 0014-2956.                           |                |
|   | CN                    | THIRSTRUP, et al., "Evidence for a pancreatic lipase subfamily with new kinetic properties," Biochemistry, Vol. 33, No. 10, 1994, pgs. 2748-2756, XP001119733, ISSN: 0006-2960.   |                |
|   | CO                    | Database NCBI 'Online', SMITH, D.R., "Human Genome Sequencing Center," 10/06/99, database accession no. AC011328, XP002220408.  |                |
|   | CP                    | SVENDSEN, Allan, "Lipase protein engineering," Biochimica et Biophysica Acta, Amsterdam, NL, Vol. 1543, No. 2, 2000, pgs. 223-238, XP002200729, ISSN: 0006-3002.  |                |
|   | CQ                    | LOWE, et al., "Cloning and Characterization of Human Pancreatic Lipase cDNA," Journal of Biological Chemistry, Vol. 264, No. 33, 11/25/89, pgs. 20042-20048, XP000081766, ISSN: 0021-9258.  |                |
|   |                       | International Search Report, International Application No. PCT/US02/00223, 01/03/02 (Attorney Docket No. LEX-0293-PCT)  |                |

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|


\*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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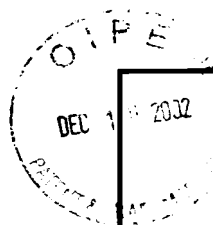
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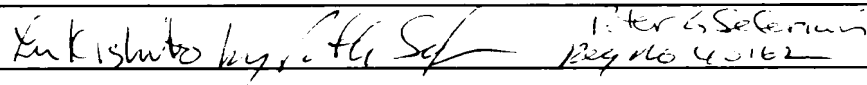
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|   |                             |                               |              |
|---|-----------------------------|-------------------------------|--------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | <b>Application Number</b>   | 10/038.517                    |              |
|   | <b>Filing Date</b>          | 01/03/02                      |              |
|   | <b>First Named Inventor</b> | Yu                            |              |
|   | <b>Group Art Unit</b>       | 1621                          |              |
|   | <b>Examiner Name</b>        | To be assigned                |              |
| <b>Total Number of Pages in This Submission</b>   | 11                          | <b>Attorney Docket Number</b> | LEX-0293-USA |

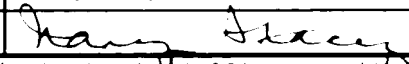
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| <input type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Reply<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Supplemental Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD. Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>return postcard<br>PTO Form 1449 and 7 references<br>International Search Report |
| <div style="display: flex; justify-content: space-between;"> <div>Remarks</div> <div> <br/> <b>24231</b><br/>         PATENT TRADEMARK OFFICE       </div> </div>  |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                                |  |
|--------------------------------|--|
| <b>Firm or Individual name</b> | Lance K. Ishimoto Reg. No. 41,866<br>Lexicon Genetics Incorporated                   |
| <b>Signature</b>               |  |
| <b>Date</b>                    | December 6, 2002   |

**CERTIFICATE OF MAILING**

|  |   |              |                  |
|--|---|--------------|------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box DD, P.O. Box 2327, Arlington, VA 22202 on this date: |   |              |                  |
| Typed or printed name  |   | Nancy Stacey |                  |
| Signature  |  | Date         | December 6, 2002 |

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